
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,**Plaintiff,***versus***KENNETH WAYNE BIRDSOING, JR.,****Defendant.**
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NO. 1:23-CR-76

ORDER ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT’S GUILTY PLEA

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Zack Hawthorn conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge. The magistrate judge recommended that the court accept the Defendant’s guilty plea. He further recommended that the court adjudge the Defendant guilty on Count One of the Indictment filed against the Defendant.

The parties have not objected to the magistrate judge’s findings. The court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge are **ADOPTED**. The court accepts the Defendant’s plea. The court **ORDERS** the Defendant’s attorney to read and discuss the presentence report with the Defendant and file any objections to the report **BEFORE** the date of the sentencing hearing.

It is further **ORDERED** that, in accordance with the Defendant's guilty plea and the magistrate judge's findings and recommendation, the Defendant, Kenneth Wayne Birdsong, Jr., is adjudged guilty as to Count One of the Indictment charging a violation of 18 U.S.C. § 922(g)(1) - Felon in Possession of a Firearm.

SIGNED at Beaumont, Texas, this 7th day of December, 2023.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE